

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

GINA FELKER and :  
TODD GRUDZINSKI, :  
Plaintiffs : CIVIL ACTION NO. 3:16-1907  
v. :  
EXETER TOWNSHIP, : (JUDGE MANNION)  
JOHN RUANE, *et al.* :  
Defendants :

**ORDER**

In accordance with the memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

1. Defendants' motions for summary judgment, (Doc. 22, Doc. 25), are **GRANTED** with respect to plaintiffs' claims for punitive damages against Ruane, Coolbaugh and Kreseski in their individual capacity.
2. Defendants' motions for summary judgment are **DENIED** as to liability on plaintiffs' procedural due process claims under the 14<sup>th</sup> Amendment to the extent that these claims are based on a contractual right to continued employment with the Township.
3. Plaintiffs' motion for summary judgment, (Doc. 19), is **GRANTED** as to liability on their procedural due process claims based on a contractual right to continued employment under the CBA.
4. Judgment is **ENTERED** in favor of the plaintiffs and against all defendants as to liability on the plaintiffs' procedural due process claims.

5. Since judgment as to liability is entered in plaintiff's favor on their due process claims, this case shall proceed to jury trial on the limited issue of damages. By separate Order, the court will schedule a final pre-trial conference regarding the jury trial to determine plaintiffs' damages for defendants' deprivation of their procedural due process rights.

*s/ Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: January 29, 2018**

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